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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/699,162

10/31/2003

Mika Forssell

297-008984-US (C01)

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PERMAN & GREEN  
425 POST ROAD  
FAIRFIELD, CT 06824

EXAMINER

MEW, KEVIN D

ART UNIT

PAPER NUMBER

2616

MAIL DATE

DELIVERY MODE

06/26/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

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<b>Office Action Summary</b>	<b>Application No.</b> 10/699,162	<b>Applicant(s)</b> FORSSELL ET AL.	
	<b>Examiner</b> Kevin Mew	<b>Art Unit</b> 2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 31 October 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 20 and 21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 20 and 21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>10/31/03, 6/28/04, 11/21/05</u> | 6) <input type="checkbox"/> Other: _____  |

***Detailed Action***

***Specification***

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

In particular, the form and legal phraseology often used in patent claims "said" should be removed from the second last line of the abstract.

**Arrangement of the Specification**

2. The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) THE NAMES OF THE PARTIES TO A JOINT RESEARCH AGREEMENT.
- (e) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC.
- (f) BACKGROUND OF THE INVENTION.
  - (1) Field of the Invention.
  - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.

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- (g) BRIEF SUMMARY OF THE INVENTION.
- (h) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (i) DETAILED DESCRIPTION OF THE INVENTION.
- (j) CLAIM OR CLAIMS (commencing on a separate sheet).
- (k) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (l) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

The specification of the instant application is not arranged in the format as described above. Appropriate corrections are required.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 20-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Noneman et al. (USP 5,708,656).

The applied reference has a common assignee, Nokia Mobile Phones Limited, with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention “by another,” or by an appropriate showing under 37 CFR 1.131.

Regarding claim 20, Noneman discloses a method for transferring a data flow by creating a connection on a packet radio service of a telecommunication system (a connection on a wireless packet radio communications system, Fig. 2) between two radio resource entities (between mobile station 10 and a base station 30, col. 3, lines 26-37), wherein the data flow comprises at least one active data transfer period (active period when there is packet data transmission at peak rate, col. 2, lines 28-30), the method comprising:

transferring information during the at least one active data transfer period (packet data transmission at peak rate, col. 2, lines 28-30); and

after the active data transfer period (when no packet data is available, col. 2, lines 21-23), maintaining the connection on the packet radio service during a passive period (maintaining the packet data service connection at idle rate during inactivity, col. 2, lines 21-26; note that connection at idle rate is the passive period) until an event occurs selected from the group consisting of:

reaching the end of a predetermined time after which the connection is released (until reaching the second inactivity timer after which the packet data service is released, col. 2, lines 36-38); and, more data to be transferred appears (until packet data becomes available for transmission between the time the first inactivity timer expires and the second inactivity timer expires, col. 2, lines 39-43) after which the connection is continued (the inactivity continues after the first inactivity timer expires, and after which the connection continues and the data packets are transmitted at intermediate rate, col. 2, lines 34-38), said continuation of the connection (the packet data service connection is maintained after the first inactivity time expires) enabled by the allocation of transmit permission to said data flow by the system (enabled by packet data being allowed to transmit at intermediate rate, col. 2, lines 38-43) within said passive period (during the period when the packet data service connection is maintained at idle rate. 2, lines 21-26).

Regarding claim 21, Noneman discloses a method for transferring a data flow by creating a connection on a packet radio service of a telecommunication system (a connection on a wireless packet radio communications system, Fig. 2) between two radio resource entities (between mobile station 10 and a base station 30, col. 3, lines 26-37), wherein the data flow

comprises at least one active data transfer period (active period when there is packet data transmission at peak rate, col. 2, lines 28-30), the method comprising:

allocating data transfer resources for a first direction (uplink/downlink) of packet data flow transfer (allocating a connection for transmitting packet data between a mobile station and a base station);

allocating resources for packet data flow transfer for the opposite data transfer direction (allocating a connection for transmitting packet data between a mobile station and a base station, col. 3, lines 26-37); and

after the active data transfer period (when no packet data is available, col. 2, lines 21-23), maintaining the connection on the packet radio service during a passive period (maintaining the packet data service connection at idle rate during inactivity, col. 2, lines 21-26; note that connection at idle rate is the passive period) either until the end of a predetermined time after which the connection is realized (until reaching the second inactivity timer after which the packet data service is released, col. 2, lines 34-38) or until more data to be transferred appears (until packet data becomes available for transmission between the time the first inactivity timer expires and the second inactivity timer expires, col. 2, lines 39-43) after which the connection is continued (the inactivity continues after the first inactivity timer expires, and after which the connection continues and the data packets are transmitted at intermediate rate, col. 2, lines 34-38), whichever occurs first (whichever comes first, col. 2, lines 34-43).


***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Mew whose telephone number is 571-272-3141. The examiner can normally be reached on 9:00 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham can be reached on 571-272-3179. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Kevin Mew *Km*  
Work Group 2616

  
CHI PHAM  
SUPERVISORY PATENT EXAMINER

*6/18/07*